

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

CODY S. HOWARD

PLAINTIFF

v.

Case No. 4:18-cv-4126

OFFICER D. ROGERS

DEFENDANT

ORDER

Before the Court is the Report and Recommendation filed January 28, 2020, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 46). Judge Bryant recommends that Defendant Rogers' Motion for Summary Judgment (ECF No. 38) be denied. The Court finds this matter ripe for consideration.

No objections to the Report and Recommendation have been filed, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Upon review, the Court finds no clear error in the Report and Recommendation and adopts the Report and Recommendation (ECF No. 46) *in toto*. Accordingly, Defendant Rogers' Motion for Summary Judgment (ECF No. 38) should be and hereby is **DENIED**.

IT IS SO ORDERED, this 19th day of February, 2020.

/s/ Susan O. Hickey
Susan O. Hickey
Chief United States District Judge